

## District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Charleston

Date: 2/5/2015

Case Number 2:10-md-02187

Case Style: In Re: C. R. Bard vs.

Type of hearing Status Conference

Before the honorable: 2513-Goodwin

Court Reporter Carol Farrell

Courtroom Deputy Robin Clark

Attorney(s) for the Plaintiff or Government Henry Garrard; Bryan Aylstock; Clayton Clark; Fred Thompson

Attorney(s) for the Defendant(s) Jon Strongman; Rob Adams; Lori Cohen; Christy Jones; Barbara Binis

Law Clerk Kate Fife

Probation Officer

Trial Time

### Non-Trial Time

Pretrial conference (including settlement and telephone conferences).

### Court Time

10:10 am to 11:20 am

Total Court Time: 1 Hours 10 Minutes Non-Trial Time/Uncontested Time

### Courtroom Notes

Scheduled start time 10:00 a.m.

Actual start time 10:10 a.m.

### MDL STATUS CONFERENCE

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Chief Judge Goodwin and Magistrate Judge Eifert presiding

2:10-md-2187 In Re: C. R. Bard, Inc., Pelvic Repair Systems Products Liability Litigation

2:12-md-2325 In Re: American Medical Systems, Inc., Pelvic Repair System Product Liability Litigation

2:12-md-2326 In Re: Boston Scientific Corp. Pelvic Repair System Products Liability Litigation

2:12-md-2327 In Re: Ethicon, Inc. Pelvic Repair Systems Products Liability Litigation

2:12-md-2387 In Re: Coloplast Corp. Pelvic Support Systems Products Liability Litigation

2:13-md-2440 In Re: Cook Medical, Pelvic Support Systems Products Liability Litigation

#### Counsel for parties present

Coordinating Co-lead counsel for Plaintiffs - Bryan Aylstock, Henry Garrard, Fred Thompson

Co-lead counsel for Boston Scientific MDL 2326 - Clayton Clark and Aimee Wagstaff

Co-lead counsel for American Medical Systems MDL 2325 - Amy Eskin and Fidelma Fitzpatrick

Co-lead counsel for Ethicon MDL 2327 - Renee Baggatt

Co-Lead counsel for Coloplast MDL 2387 - Riley Burnett, Mark Mueller and Robert Salim

Co-Lead counsel for Cook MDL 2440 - Ben Anderson and Martin Crump

Plaintiffs executive committee: Bryan Aylstock, Henry Garrard, Fred Thompson, Tom Cartmell, Clayton Clark, Amy Eskin, Derek Potts and Aimee Wagstaff.

Plaintiffs Co-liaison counsel: Harry Bell, Paul Farrell and Carl Frankovitch

#### Defendants

Lead counsel for C. R. Bard, Inc., MDL 2187 - Deb Moeller

## **District Judge Daybook Entry**

Lead counsel for American Medical Systems MDL 2325 - Barbara Binis  
Lead counsel for Boston Scientific MDL 2326 - Robert Adams and Jon Strongman  
Lead counsel for Ethicon MDL 2327 - Christy Jones  
Defendants Liaison counsel: Michael Bonasso, David Thomas and Michael Farrell. Mark Williams defendants liaison counsel in the Bard MDL.  
Lead Counsel for Coloplast MDL 2387 - Lana K. Varney  
Lead Counsel for Mentor - Dustin B. Rawlin  
Lead Counsel for Cook - Doug King

### **Additional counsel present**

Adriane Theis - AMS  
Ethan Greene - AMS  
Ronn Kreps - Coloplast  
Alan Latar - Pltfs  
Cliff Merrell - Bard  
Michael Brown - Bard  
Eric Anielak - BSC  
Lynn O'Dell - Pltfs  
Erin Copen - Pltfs  
Melissa Foster Bird - Bard  
Lee Balefsky - Pltfs  
Yvonne Flaherty - Pltfs  
Victoria Maniatis - Pltfs  
Karen- Schneder - Pltfs  
Lindsey Saad - BSC  
Elizabeth Taylor - BSC  
Pauline Toboulidis - Pltfs  
George Fleming - Pltfs  
Kaly Hyman - Pltfs  
Ellen Resiman - AMS  
Andrew Karron - AMS  
Erik Legg - AMS  
Donna Jacobs - Ethicon  
Joseph McLaughlin - Bard  
Nicholas Davis - Bard  
Marie Woodbury - Covidien  
Chris Dusseault - Covidien  
Margaret Droppleman Wassick - Cook  
Joseph Rice - Pltfs

Agenda Issues Common to MDL Nos. 2187, 2325, 2326, 2327, 2387, and 2440.

### **Establishing a case work-up for multi-product, multi-defendant cases**

Mr. Garrard speaks on behalf of the Pltfs  
Mr. Adams speaks on behalf of Boston Scientific  
Mr. Clark responds on behalf of the Pltfs  
Ms. Cohen responds on behalf of Bard  
Ms. Jones responds on behalf of Ethicon

### **Agenda for MDL No. 2327-ETHICON.**

General Status Update  
Mr. Aylstock addresses the court.  
Ms. Jones addresses the court.  
Consolidation of Trials  
Motion to Revise Case Management Procedures and for Discovery filed by Ethicon

Agenda for MDL No. 2326-BSC.

## **District Judge Daybook Entry**

### General Status Update

Mr. Clark addresses the court.

Mr. Adams addresses the court.

Transfer of the Sanchez and Hall Cases

Sanchez is ready for transfer to appropriate California court

Defts believe Hall case should be transferred to the District of Wisconsin; the Pltfs will provide the court with an update

Agenda for MDL No. 2187-C.R. BARD/Sofradim/TSL

### General Status Update

Mr. Garrard provides an update

Ms. Cohen provides an update

Agenda for MDL No. 2325-AMS.

### General Status Update

Mr. Binis provides an update

Mr. Greene provides additional information

Mr. Garrard provides an update

Agenda for MDL No. 2387-COLOPLAST.

### General Status Update

Mr. Salim provides an update on behalf of Pltfs

Ms. Varney provides an update on behalf of Deft

Agenda for MDL No. 2440-COOK.

### General Status Update

Mr. Anderson provides an update on behalf of the Pltfs

Mr. King provides an update on behalf of the Deft

Remarks by Judge Goodwin

Remarks by Magistrate Judge Eifert

End time 11:20 a.m.